

From: leadparalegal@lawofficeofchristyscott.com
Subject: RE: 19-125 ; Ted D. Ellis & Teresa Ellis v. C. Kirkman, indiv; A. Swinehammer, indiv; L. Gibson, indiv; and as agents/officers Town of Bluffton PD & Town of Bluff PD ;; 19-125 ; Ted D. Ellis & Teresa Ellis v. C. Kirkman, indiv; A. Swinehammer, indiv; L. Gibson
Date: September 22, 2020 at 10:46 AM
To: Arie Bax arie.baxlaw@gmail.com
Cc: Paralegal office.baxlaw@gmail.com, Naki Richardson-Bax naki.baxlaw@gmail.com, Christy Scott christyscott28@gmail.com

Mr. Bax:

Please allow this to confirm receipt of your email. I will bring this to Christy's attention as soon as possible.

Tamika D. Simmons
Lead Paralegal to Christy L. Scott

May everyday be filled with great expectation and overwhelming peace!

Law Offices of Christy L. Scott, LLC
108 Carn Street, Post Office Box 1515
Walterboro, South Carolina 29488
Office: (843) 782-4359
Facsimile: (843) 782-4362

From: Arie Bax <arie.baxlaw@gmail.com>
Sent: Tuesday, September 22, 2020 10:14 AM
To: Christy Scott <christyscott28@gmail.com>
Cc: Tamika Simmons <leadparalegal@lawofficeofchristyscott.com>; Paralegal <office.baxlaw@gmail.com>; Naki Richardson-Bax <naki.baxlaw@gmail.com>
Subject: Re: 19-125 ; Ted D. Ellis & Teresa Ellis v. C. Kirkman, indiv; A. Swinehammer, indiv; L. Gibson, indiv; and as agents/officers Town of Bluffton PD & Town of Bluff PD ;; 19-125 ; Ted D. Ellis & Teresa Ellis v. C. Kirkman, indiv; A. Swinehammer, indiv; L. Gibson

Christy,

I never received the email you just forwarded. This is the first time I have ever seen this. I checked my email thoroughly for September 4th and the junk mail box for the same date and there is no email from you.

Arie D. Bax, Esq.
The Bax Law Firm, PA
2 Merchants Ln
Suite 210
Beaufort, SC 29907
843-522-0980
arie.baxlaw@gmail.com

On Sep 22, 2020, at 9:44 AM, Christy Scott <christyscott28@gmail.com>

wrote:

Tamika this was the email I forwarded on the fourth. Can you please make sure I did not use an incorrect email address for Mr. Bax and make sure he gets the same.

Sent from my iPhone

Begin forwarded message:

From: Christy Scott <christyscott28@gmail.com>
Date: September 22, 2020 at 9:37:07 AM EDT
To: Tamika Simmons
<leadparalegal@lawofficeofchristyscott.com>
Subject: Fwd: 19-125 ; Ted D. Ellis & Teresa Ellis v. C. Kirkman, indiv; A. Swinehammer, indiv; L. Gibson, indiv; and as agents/officers Town of Bluffton PD & Town of Bluff PD

Sent from my iPhone

Begin forwarded message:

From: Cscott <cscott@lawofficeofchristyscott.com>
Date: September 22, 2020 at 9:31:34 AM EDT
To: Christyscott28@gmail.com,
cscott@lawofficeofchristyscott.com
Subject: FW: Re: 19-125 ; Ted D. Ellis & Teresa Ellis v. C. Kirkman, indiv; A. Swinehammer, indiv; L. Gibson, indiv; and as agents/officers Town of Bluffton PD & Town of Bluff PD

From: Cscott <cscott@lawofficeofchristyscott.com>
Sent: Friday, September 4, 2020 2:46 PM
To: 'arie.baxlaw@gmail.com',
office.baxlaw@gmail.com <arie.baxlaw@gmail.com>
office.baxlaw@gmail.com>
Subject: Re: 19-125 ; Ted D. Ellis & Teresa Ellis v. C. Kirkman, indiv; A. Swinehammer, indiv; L. Gibson, indiv; and as agents/officers Town of Bluffton PD & Town of Bluff PD

Dear Ari,

I called your office today to ask for a return call because we have a few things that I would like to discuss. Your staff returned the call and asked me to reduce the subject matter to an e-mail. As

an initial matter, the pending F.B.I. investigation has several implications for the civil matter. We are advised that this investigation is not expected to be concluded until January 2021. First, I need to consult with you prior to my filing next week of a Motion to Stay all activity in the civil matter for no less than 120 days on grounds that the ongoing parallel criminal investigation by federal authorities severely limits the officers' ability to properly participate in the litigation of the civil matter. This motion is needed to safeguard the officers' rights against self-incrimination secured by the Fifth Amendment of the United States Constitution.

A second point of discussion surrounds the potential effect of a criminal indictment, should one be handed down, on the liability coverage for the individually named officers in the civil matter. Historically, reservation of rights letters can be issued for actions that involve conduct outside the course and scope of official duties. As charges are not brought as of yet in this case, I am not sure if they would have an impact in this matter.

There may be some benefit in our consideration of a bifurcated mediation where we see if some common ground and settlement can be reached during the period of stay and prior to the determination as to whether criminal charges would be brought. If not successful, discovery would proceed and the mediation would resume at the end of discovery, prior to the trial of this case. There are several spin-off ramifications that I would be happy to discuss with you at your convenience. In addition to the office number, you are always welcome to call my cell at 843-909-4350.

Sincerely,

Christy Scott